

Date: 2/13/2024

BRENNA B. MAHONEY, CLERK OF COURT

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
BROOKLYN OFFICE

By: *Alisha Francis*, Deputy Clerk

**IN RE: ORAL PHENYLEPHRINE MARKETING AND  
SALES PRACTICES LITIGATION**

MDL No. 3089

(SEE ATTACHED SCHEDULE)

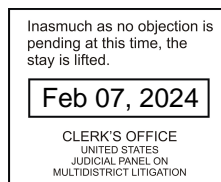
**CONDITIONAL TRANSFER ORDER (CTO –5)**

On December 6, 2023, the Panel transferred 8 civil action(s) to the United States District Court for the Eastern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* \_F.Supp.3d\_ (J.P.M.L. 2023). Since that time, 72 additional action(s) have been transferred to the Eastern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Brian M. Cogan.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of New York and assigned to Judge Cogan.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. § 1407 to the Eastern District of New York for the reasons stated in the order of December 6, 2023, and, with the consent of that court, assigned to the Honorable Brian M. Cogan.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of New York. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.



FOR THE PANEL:

*Tiffany D. Pete*

Tiffany D. Pete  
Clerk of the Panel

**IN RE: ORAL PHENYLEPHRINE MARKETING AND  
SALES PRACTICES LITIGATION**

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**SCHEDULE CTO-5 – TAG-ALONG ACTIONS**

<b><u>DIST</u></b>	<b><u>DIV.</u></b>	<b><u>C.A.NO.</u></b>	<b><u>CASE CAPTION</u></b>	
FLORIDA SOUTHERN				
FLS	9	24-80046	Valinsky v. The Procter & Gamble Company et al	<a href="#">1:24-cv-01099</a>
NEW JERSEY				
NJ	2	24-00284	TISDALE v. BAYER CORPORATION	<a href="#">1:24-cv-01100</a>
NJ	2	24-00285	SCHARON v. RECKITT BENCKISER PHARMACEUTICALS, INC.	<a href="#">1:24-cv-01101</a>
OHIO SOUTHERN				
OHS	1	24-00022	Folks et al v. The Procter & Gamble Company	<a href="#">1:24-cv-01102</a>